

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRETT T. CULVER

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA,
et al.,

Defendants.

MOTION

MARY E. D'ANDREA

Per. W
DEPUTY CLERKCase No. 1:01-cv-00904

(Judge Kana)

APR 23 2002

FILED
HARRISBURG(49)
4-24-02
SCMOTION FOR HEARING/COURT PROCEEDINGS

Plaintiff Brett T. Culver petitions this Honorable Court to set this Case, No. 1:01-cv-00904 for hearing on the next trial docket, as this plaintiff continues to suffer exposure to abuses and retaliatory actions/stress by and through adverse treatment of deliberate indifference by the defendant's, and recently by affiliate collaborators of the S.C.I Mahanoy facility staff. Plaintiff petitions this Honorable Court to establish and provide preliminary protection and relief by initiating preliminary Injunctions outlined in the Complaint (section V. a, b, c, d, and e). For reasons this plaintiff has and continues to suffer adverse treatments and abuses by the defendant's and affiliated Administrative staff at the S.C.I. Mahanoy facility, this Court must consider and take appropriate action to protect and establish relief to the plaintiff. It is evident, that more probable than not, this plaintiff will continue to suffer further abuses and adverse treatment by the defendant's and affiliate staff at the S.C.I. Mahanoy facility, which this plaintiff is subjugated.

WHEREFORE, this plaintiff prays this Court to establish protection and preliminary relief from the abuses and adverse treatment of deliberate indifference by the defendant's and affiliate staff of the S.C.I. Mahanoy Administration.

UNSWORN DECLARATION AFFIDAVIT

I Brett T. Culver do hereby verify that the facts set forth in the foregoing MOTION to the Court dated 04-17-02 are true and correct to the best of my personal knowledge, or information and belief, and that any false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

Truthfully Submitted,

Brett T. Culver

Brett T. Culver,

Plaintiff.

Verified this 17 day of April, 2002.

PROOF OF SERVICE

Motion for Hearing / Court Proceedings

I, the undersigned, hereby aver that I have served the foregoing MOTION dated 04-17-02 upon the U.S. District Court in the manner indicated:

SERVED BY U.S. MAIL ADDRESSED AS FOLLOWS.

- (1) copy: U.S. DISTRICT COURT, CLERK OF COURTS, 228 Walnut St., P.O.Box 983, Harrisburg, Pa. 17108
- (1) copy each: Defendant's R. Shannon, T. Mikhich, R. Kane, C. Dotter, V. Mooney and L. Chismar at S.C.I. Mahanoy, 301 Morea Rd., Frackville, Pa. 17932 (Served through Institutional Mail System).
- (3) copies: Defendant's M. Horn, J. Beard in care of Defendant's Counsel M. Lewis. 15th Floor Strawberry Sq., Harrisburg, Pa. 17120

Served this 17 day of April, 2002

Signature, Brett T. Culver